

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	8:05CR311
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
DAVID HERRICK,	)	
	)	
Defendant.	)	

The Court has been advised that the defendant requests permission to enter a plea of guilty. The Court is further advised that the defendant will consent to Magistrate Judge Thalken conducting the hearing on the plea of guilty.

**IT IS ORDERED** that:

1. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the request of the defendant.
2. A hearing on the defendant's anticipated plea of guilty is scheduled before Magistrate Judge Thalken on the **21st day of November, 2005** at the hour of **3:15 p.m.** in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. **The hearing on defendant's motion to suppress (#9) scheduled for November 21, 2005 at 1:30 p.m. is canceled.**
3. At least two (2) working days in advance of the plea proceeding above, counsel for plaintiff and for defendant shall provide to the undersigned magistrate judge a copy of the following: a) a copy of the Petition to Enter A Guilty Plea; b) a copy of any plea agreement; and c) a copy of any charging document not yet on file. **Failure to meet this deadline will cause the plea proceeding to be cancelled.**
4. On or before the date for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.
5. For this defendant, the time between today's date and the hearing on the anticipated plea of guilty is excluded for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).
6. If the defendant is not proficient in the English language, then the defense counsel must arrange for the person who translated the petition and plea agreement to be present for entry of the plea **OR** shall present a completed "DECLARATION OF INTERPRETER (TRANSLATOR)" form available from the courtroom deputy clerk.

Dated this 17th day of November, 2005.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge